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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,496	11/13/2003	Richard V. Campbell		8941

7590

09/06/2005

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EXAMINER
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COZART, JERMIE E

ART UNIT	PAPER NUMBER
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3726

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/712,496	<b>Applicant(s)</b> CAMPBELL, RICHARD V.	
	<b>Examiner</b> Jermie Cozart	<b>Art Unit</b> 3726	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,11 and 12 is/are rejected.
- 7) ☒ Claim(s) 2,3,6-10 and 13-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first barrier with a first barrier edge facing the free end of the exposed strands, wherein the first barrier edge assumes the form of a truncated cone must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

2. Claim 3 is objected because the claimed subject matter is not shown.
3. Claim 16 is objected to because of the following informalities: In the last line of the claim, two periods are found at the end of the sentence which appears to be a typographical error therefore it is suggested to delete one of the periods. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's Admitted Prior Art (AAPA).

AAPA discloses at pages 2-3 of the specification, infusing potting compound into a desired region of strands (14) within a cable, wherein a length of strands are exposed within the cable, a barrier device (containment jacket 12) is placed over the exposed length of strands (14) in order to divide the exposed length of strands into a guarded region of strands and an exposed region of strands, and the potting compound is infused into the exposed region of strands (14).

6. Claims 1, 4, 5, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Thompson et al. (3,588,966).

Thompson discloses infusing potting compound (40) into a desired region of strands within a cable, wherein a length of strands is exposed within the cable, a barrier device (52) is placed over the exposed length of strands (50) in order to divide the exposed length of strands into a guarded region of strands and an exposed region of strands, and then infused the potting compound into the exposed region of strands (50). The exposed length of strands (50) are exposed on an end of the cable so that the length of exposed strands has a fixed end attached to the cable and a free end, and wherein the step of placing the barrier device (52) over the exposed length of strands comprises placing a first barrier (52) on a first side of the length of exposed strands proximate the fixed end, placing a second barrier (52) proximate on a second side of the length of exposed strands, wherein the second side is opposite the first side, and pressing the first and second barriers (52) together to hold the length of exposed strands in place and divide the length of exposed strands into the exposed region, which extends from the first and second barriers (52) to the free end, and the guarded region. The first barrier (52) is provided with a strand slot (56) and the second barrier (52) is provided with a strand slot (56). The cable has a first end and a second end, wherein the exposed length of strands are exposed somewhere between the first and second ends of the cable, wherein the exposed length of strands has a first boundary and a second boundary, and wherein the step of placing the barrier device over the exposed length of strands comprises placing a first barrier (52) around the length of exposed strands proximate the first boundary of the exposed strands, and placing a second barrier (52) around the length of exposed strands proximate the second

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boundary of the exposed strands to divide the length of exposed strands into the exposed region, lying between the first and second barriers, and the guarded region.

*See column 4, line 36 – column 5, line 63, and figures 7-10 for further clarification.*

7. Claims 1, 4, 5, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kelley (5,493,394).

Kelley discloses infusing potting compound into a desired region of strands (50) within a cable, wherein a length of strands (50) is exposed within the cable, a barrier device (40) is placed over the exposed length of strands (50) in order to divide the exposed length of strands into a guarded region of strands and an exposed region of strands, and then infused the potting compound into the exposed region of strands. The exposed length of strands (50) are exposed on an end of the cable so that the length of exposed strands has a fixed end attached to the cable and a free end, and wherein the step of placing the barrier device over the exposed length of strands comprises placing a first barrier (40) on a first side of the length of exposed strands proximate the fixed end, placing a second barrier (40) proximate on a second side of the length of exposed strands, wherein the second side is opposite the first side, and pressing the first and second barriers together to hold the length of exposed strands in place and divide the length of exposed strands into the exposed region, which extends from the first and second barriers (40) to the free end, and the guarded region. The first barrier (40) is provided with a strand slot and the second barrier is provided with a strand slot. The cable (24) has a first end and a second end, wherein the exposed length of strands (50) are exposed somewhere between the first and second ends of the

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cable, wherein the exposed length of strands has a first boundary and a second boundary, and wherein the step of placing the barrier device over the exposed length of strands comprises placing a first barrier (40) around the length of exposed strands proximate the first boundary of the exposed strands, and placing a second barrier (40) around the length of exposed strands proximate the second boundary of the exposed strands to divide the length of exposed strands into the exposed region, lying between the first and second barriers (40), and the guarded region. *See column 5, line 13 – column 6, line 32, and figures 3 and 4 for further clarification.*

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1 and 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reed (6,058,603).

Reed discloses infusing potting compound (i.e. adhesive or epoxy) into a desired region of strands within a cable (95), wherein a length of strands (22, 23) is exposed within the cable, a barrier device (45) is placed over the exposed length of strands in order to divide the exposed length of strands into a guarded region of strands and an exposed region of strands (22, 23), and then infused the potting compound into the exposed region of strands. The exposed length of strands (22, 23) are exposed on an end of the cable (95) so that the length of exposed strands has a fixed end attached to

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the cable and a free end, and wherein the step of placing the barrier device (45) over the exposed length of strands comprises folding the free end of the length of exposed strands back over the cable (95) to form a strand collar (fig. 10), and placing a collar (45) over the strand collar to hold the strand collar against the cable and divide the strand collar into the exposed region, which lies between the collar (45) and the free end, and the guarded region. *See column 6, line 64 – column 7, line 15, and figures 10-13 for further clarification.*

Reed, however, does not disclose sliding the collar.

Since the barrier device (45) which is a collar is described as a mold then it is apparent that the device (45) is a one piece construction. It is conventional and well known to slide collars onto cables for effective attachment.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to slide the collar of Reed over onto the cable, in order to effectively attach the collar to the cable.

#### ***Allowable Subject Matter***

10. Claims 2, 6-10, and 13-15 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claim 3 would be allowable pending the illustration of the claimed subject matter in the associated figure.

12. Claim 16 would be allowable pending correction of the minor informality cited above.



***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cited on the attached PTO-892 are cited to show the coating of cables.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermie Cozart whose telephone number is 571-272-4528. The examiner can normally be reached on Monday-Thursday, 7:30 am - 6:00 pm.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jermie Cozart  
Examiner  
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